



MURIEL GOODE-TRUFANT
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

BELINA ANDERSON
Phone: (212) 356-4367
Fax: (212) 356-2089
Email: beanders@law.nyc.gov

June 11, 2024

By ECF

The Honorable George B. Daniels
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Request to Seal Files*
Handberry, et al. v. Thompson, Jr., et al. (96 Civ. 6161 [GBD] [RWL])

Your Honor:

I am the Assistant Corporation Counsel in the Office of the Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, assigned to represent Defendants in the case referenced above. On Friday, June 7, 2024, Defendants filed their Memorandum of Law in Opposition to Plaintiff Class's motion to reappoint a monitor. (ECF No. 330). I, respectfully, request the Court seal the supporting documents listed below, pursuant to rule 21.7 of the S.D.N.Y. Electronic Case Filing Rules & Instructions.

Defendant New York City Department of Correction (DOC) submitted two declarations in support of Defendants' memorandum in opposition. Declarant Lindsey Lybrand attached Exhibits A-F to her declaration (ECF Nos. 330-4, 330-5, 330-6, 330-7, 330-8, 330-9). Certain information within the exhibits was redacted in the filings. Today, counsel for the Plaintiff Class alerted defense counsel that some of the redactions are partially transparent.

Defense counsel discussed the matter with DOC and viewed the .pdf documents on the court's website and confirmed that the redactions are not completely opaque, especially when enlarging the page containing the redaction. Any transparency was inadvertent. Redactions were intended to remain opaque in whatever rendering, on screen or print-out.

This afternoon, I confirmed to counsel for Plaintiff Class that Defendants would address the filing issue with the Court and sent to the ECF Help Desk an emergency sealing request for all the Lybrand exhibits: ECF Nos. 330-4, 330-5, 330-6, 330-7, 330-8, 330-9. The Help Desk confirmed the entries were placed under temporary seal today at 4:38 p.m.

SO ORDERED:

George B. Daniels
George B. Daniels, U.S.D.J.

Dated: JUN 18 2024

Defendants could file a “redacted version of the mistaken filing.” SDNY ECF Rules & Instructions rule 21.7(c). Correcting the mistake would just require better redactions. All things considered, sealing the exhibits in their entirety is faster, simpler. I, respectfully, request the Court seal ECF Nos. 330-4, 330-5, 330-6, 330-7, 330-8, 330-9.

Respectfully,



Belina Anderson
Assistant Corporation Counsel

copy by ECF: All counsel of record